

1 SENATE JOINT MEMORIAL 30

2 **49TH LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 2010**

3 INTRODUCED BY

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10 A JOINT MEMORIAL

11 REQUESTING THE PUBLIC REGULATION COMMISSION TO CONVENE A  
12 MULTIDISCIPLINARY WORKING GROUP TO EVALUATE THE NEED FOR THE  
13 REGULATION OF WIND TURBINES ONE MEGAWATT OR GREATER IN SIZE.

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15 WHEREAS, wind energy is a clean renewable resource of  
16 significant abundance in the state of New Mexico; and

17 WHEREAS, utility-scale wind-powered electric generation  
18 facilities are almost completely unregulated; and

19 WHEREAS, the local environmental impact and health impacts  
20 of proposed utility-scale wind facilities should be taken into  
21 consideration in evaluating the siting and operation of new  
22 wind facilities; and

23 WHEREAS, the siting of the current or planned industrial-  
24 scale wind facilities does not fall under public regulation  
25 commission review; and

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1           WHEREAS, the protection of public health through safety  
2 standards, including setback standards from homes and noise-  
3 limit standards that include hazardous low-frequency noise,  
4 should be considered; and

5           WHEREAS, protection of the environment, including scenery,  
6 historic sites and wildlife corridors, as well as night skies,  
7 should be taken into account; and

8           WHEREAS, a code of conduct for the wind power industry  
9 that guarantees procedural transparency to residents and  
10 provides for oversight of the industry should be considered;

11           NOW, THEREFORE, BE IT RESOLVED BY THE LEGISLATURE OF THE  
12 STATE OF NEW MEXICO that the public regulation commission be  
13 requested to form a multidisciplinary working group to evaluate  
14 the need for regulation of wind turbines one megawatt or  
15 greater in size in New Mexico, including the siting of wind  
16 facilities, taking into consideration the health, safety and  
17 general welfare of the public and cultural and environmental  
18 considerations; and

19           BE IT FURTHER RESOLVED that the public regulation  
20 commission be requested to include in the working group  
21 representatives from the energy, minerals and natural resources  
22 department, the economic development department, the department  
23 of environment, the department of health, the state land  
24 office, the New Mexico association of counties, the New Mexico  
25 citizens alliance for responsible energy and sustainability and

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1 the wind power industry as well as experts, members of the  
2 public and members from the 2009 interim committees on science,  
3 technology and telecommunications, economic and rural  
4 development, water and natural resources and radioactive and  
5 hazardous materials; and

6 BE IT FURTHER RESOLVED that the working group be requested  
7 to compile information on the net economic benefits of  
8 commercial wind facilities deployed in the state over the last  
9 ten years; and

10 BE IT FURTHER RESOLVED that the working group be requested  
11 to hold at least three meetings chaired by a representative  
12 from the public regulation commission and make its  
13 recommendations to an appropriate interim committee of the  
14 legislature by December 1, 2010; and

15 BE IT FURTHER RESOLVED that copies of this memorial be  
16 transmitted to the public regulation commission, the energy,  
17 minerals and natural resources department, the economic  
18 development department, the department of environment, the  
19 department of health, the state land office, the New Mexico  
20 association of counties, the New Mexico citizens alliance for  
21 responsible energy and sustainability and the co-chairs of the  
22 New Mexico legislative council.